

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

VALENTIN REID, on behalf of himself and
all others similarly situated,

Plaintiffs,

-v-

No. 19-CV-6542-LTS-KNF

CALIFORNIA BABY, INC.,

Defendant.

-----X

ORDER

Plaintiff filed this action on behalf of a putative class on July 15, 2019. (Docket Entry No. 1.) To date, Plaintiff has not indicated that he has served Defendant with the summons or complaint, and the deadline for effecting service of the summons and complaint has long passed (see Fed. R. Civ. P. 4(m)). Further, no answer has been filed. On October 30, 2019, Judge Fox directed Plaintiff to “advise the Court, in writing, of the status of this action” on or before November 5, 2019. (Docket Entry No. 6.) Plaintiff failed to respond to Judge Fox’s Order. On November 12, 2019, Plaintiff was ordered to show cause in writing by December 3, 2019, why this action should not be dismissed for failure to prosecute. Plaintiff again failed to respond to the Court’s order. Because Plaintiff has failed to comply with the Court’s orders and has taken no further action to prosecute this matter, Plaintiff’s complaint is dismissed with prejudice as to the named plaintiff for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk of Court is respectfully requested to close this case.

SO ORDERED.

Dated: New York, New York
December 4, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge